



## Board Report

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**File #:** RES 21-220, **Version:** 1

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- a. Approve revisions to the standard Employment Agreement for Health Department Unit U physician employees as indicated in Attachment A - Summary of Revisions to Standard Employment Agreement (Health Department Physician) for Health Department Unit U physicians; and
- b. Approve the benefits set forth herein for employed physicians in Unit U at the Health Department; and
- c. Approve the terms and format of the attached "Employment Agreement (Health Department Physician)" as the standard agreement to be used for Health Department Unit U physicians; and
- d. Authorize updates to the agreement template in accordance with local, federal, and/or state law, subject to review and approval by County Counsel; and
- e. Authorize amendments to the agreement template that do not change salary ranges or provision of benefits, and, further, do not significantly change the scope of either party's obligations or responsibilities, subject to review and approval by County Counsel; and
- f. Authorize the Director of Health, or Assistant Director of Health to execute agreements for contract employment with Unit U physicians, by use of the Board-approved standard employment agreement format, including the benefits set forth herein as applicable, so long as the salary is within the approved salary range for the position, and costs of salary and benefits as applicable are within Health Department's approved fiscal year budget, to be used with all new and renewed employment agreements beginning January 1, 2022; and
- g. Direct the Human Resources Department to implement applicable changes in the Advantage system.

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:

- a. Approve revisions to the standard Employment Agreement for Health Department Unit U physician employees as indicated in Attachment A - Summary of Revisions to Standard Employment Agreement (Health Department Physician) for Health Department Unit U physicians; and
- b. Approve the benefits set forth herein for employed physicians in Unit U at the Health Department; and
- c. Approve the terms and format of the attached "Employment Agreement (Health Department Physician)" as the standard agreement to be used for Health Department Unit U physicians; and
- d. Authorize updates to the agreement template in accordance with local, federal, and/or state law, subject to review and approval by County Counsel; and
- e. Authorize amendments to the agreement template that do not change salary ranges or provision of benefits, and, further, do not significantly change the scope of either party's obligations or responsibilities, subject to review and approval by County Counsel; and
- f. Authorize the Director of Health, or Assistant Director of Health to execute agreements for contract employment with Unit U physicians, by use of the Board-approved standard employment agreement format, including the benefits set forth herein as applicable, so long as the salary is within the approved salary range for the position, and costs of salary and benefits as applicable are within Health Department's approved fiscal year budget, to be used with all new and renewed employment agreements beginning January 1, 2022; and
- g. Direct the Human Resources Department to implement applicable changes in the Advantage system.

**SUMMARY:**

The Health Department recommends revisions to the standard Employment Agreement (Health Department Physician) template for Unit U physicians, as indicated in Attachment A - Summary of Revisions to Standard Employment Agreement (Health Department Physician) for employed physicians in Unit U at the Health

Department, in an effort to recruit and retain employed physicians, and to remain competitive with other area health care facilities.

#### DISCUSSION:

On August 31, 1999, the Board of Supervisors approved an Employee Agreement (Physician) template to be used by the Monterey County Health Department and Natividad Medical Center for the employment of physicians. Each proposed agreement with an individual physician required Board approval.

In March 2007, the Board of Supervisors authorized revisions to the Employee Agreement (Physician) template and, to expedite the contracting process, authorized the Director of Health and Natividad Chief Executive Officer to execute the revised template without requiring individualized Board approval, so long as the salary was within the approved salary range for the position and the costs of salary and benefits were within the department's approved fiscal year budget. The Health Department continues to employ Unit U physicians in all applicable specialties under this standard Employee Agreement (Physician) template, which has not been revised for Health Department's use since 2007.

On June 23, 2020, Natividad sought and obtained Board approval for revisions to the Employee Agreement (Physician) template, clarifying benefits provided and addressing specific responsibilities of Natividad-based physicians. In an effort to remain competitive and continue to recruit, retain and appropriately compensate employed physicians in Unit U, the Health Department recommends many of the same or similar revisions to the terms and format of the standard Employment Agreement template for Unit U physicians, as indicated in Attachment A - Summary of Revisions to Standard Employment Agreement (Health Department Physician). The Health Department's revisions also clarify benefits paid or made available to Unit U physicians under the Employment Agreement and address specific responsibilities of Health Department-based physicians. The current Employment Agreement template does not provide a provision for extended professional liability coverage should the County ever terminate its contract with BETA. In an effort to recruit and retain employed physicians, and to remain competitive with other area health care facilities, the Health Department recommends including language in the Employment Agreement template committing to obtaining and maintaining extended coverage should the County and BETA part ways in order to ease the financial concerns of current and prospective physician staff.

As with Natividad's 2020 revisions, the Health Department's 2021 revisions will not change the third-party Fair Market Value (FMV) compensation analysis by physician specialty, the method currently used by the Health Department and Natividad to determine a physician's salary.

Both Natividad and the Health Department employ Unit U physicians, but each department has its own standard Employment Agreements, as there are differences between the work of a hospital-based physician and a physician working in the Health Department. Each physician agreement includes an individualized Scope of Services (Exhibit B) which details the employed physician's primary responsibilities.

This work supports the Monterey County Health Department 2018-2022 Strategic Plan Initiative: 3. Ensure access to culturally and linguistically appropriate, customer-friendly, quality health services. It also supports the following of the ten essential public health services, specifically: 3. Inform, educate, and empower people about health issues; 7. Link people to needed personal health services and assure the provision of health care when otherwise unavailable; and 8. Assure competent public and personal health care workforce.

#### OTHER AGENCY INVOLVEMENT:

The recommendations and agreement templates mentioned above were reviewed the Monterey County Human Resources Department and County Counsel (with input from outside counsel).

**FINANCING:**

This action does not result in any financial impact, since the recommended levels of salaries and benefits are included in the Health Department Budget for Fiscal Year 2021-2022.

This action has no impact on the General Fund.

**BOARD OF SUPERVISORS STRATEGIC INITIATIVES:**

Check the related Board of Supervisors Strategic Initiatives:

☐Economic Development:

- Through collaboration, strengthen economic development to ensure a diversified and healthy economy.

☒Administration:

- Promote an organization that practices efficient and effective resource management and is recognized for responsiveness, strong customer orientation, accountability and transparency.

☒Health & Human Services:

- Improve health and quality of life through County supported policies, programs, and services; promoting access to equitable opportunities for healthy choices and healthy environments in collaboration with communities.

☐Infrastructure:

- Plan and develop a sustainable, physical infrastructure that improves the quality of life for County residents and supports economic development results.

☐Public Safety:

- Create a safe environment for people to achieve their potential, leading businesses and communities to thrive and grow by reducing violent crimes as well as crimes in general.

Prepared by: Elsa Mendoza Jimenez, Director of Health, 755-4526

Approved by:

Date: \_\_\_\_\_

Elsa Mendoza Jimenez, Director of Health, 755-4526

Attachments:

Attachment A

Employment Agreement (Health Department Physician)

Resolution

